CITY OF TEMPE
REQUEST FOR COUNCIL ACTION

Meeting Date: 07/09/2019
Agenda Item: 3

ACTIONS: Request a Preliminary Subdivision Plat to create three (3) lots for RIO 2100 EAST, located at 2132 East Rio Salado Parkway. The applicant is Hunter Engineering. (PL180044)

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: Approve, subject to conditions

BACKGROUND INFORMATION: RIO 2100 EAST (PL180044) is an approved office development located within the larger Rio Salado development east of Tempe Marketplace. On November 27, 2018, the Development Review Commission approved a Development Plan Review for a new four-story office building that is currently being constructed on what is identified as Lot 1 of the proposed plat. Development plans for lots 2 and 3 have not yet been submitted. The request includes the following:

SBD180031 Preliminary Subdivision Plat consisting of three (3) lots.

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Rio Seuel L.L.C.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Boyer Rio 2100 East, L.C.</td>
</tr>
<tr>
<td>Zoning District</td>
<td>HID (Heavy Industrial District)</td>
</tr>
<tr>
<td>Net site area</td>
<td>15.58 acres</td>
</tr>
<tr>
<td>Lot 1</td>
<td>6.65 acres</td>
</tr>
<tr>
<td>Lot 2</td>
<td>5.58 acres</td>
</tr>
<tr>
<td>Lot 3</td>
<td>2.08 acres</td>
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</tbody>
</table>

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Karen Stovall, Senior Planner (480) 350-8432

Department Director: Chad Weaver, Community Development Director
Legal review by: Teresa Voss, Assistant City Attorney
Prepared by: Karen Stovall, Senior Planner
COMMENTS
This site is located on the north side of Rio Salado Parkway and is south of the Red Mountain Freeway. The owners propose to create three lots and one tract, which will function as a private street, to facilitate development of the site.

Conclusion
Based on the information provided and the above analysis, staff recommends approval of the requested Amended Subdivision Plat. The properties will have access to public streets and conform to the technical standards of the Tempe City Code for Subdivisions, Chapter 30.

CONDITIONS OF APPROVAL:
EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. If the subdivision plat contains common areas, a continuing care condition, covenant and restriction shall be provided (CC&R). The CC&Rs shall be reviewed and in a form satisfactory to the Community Development Director and City Attorney.

2. The Final Subdivision Plat shall be recorded prior to issuance of the first Certificate of Occupancy.

HISTORY & FACTS:

2132 E. Rio Salado Pkwy.
1992 First Street Landfill closed, and site has remained vacant. The northern portion of the subject site (Freedom Rio Phase III) was part of the landfill. The southern portion (Rio 2100 East) was not.

2128 & 2132 E. Rio Salado Pkwy.
October 16, 2018 Hearing Officer approved a variance to increase the permitted building height from 35 feet and 40 feet to 100 feet for FREEDOM RIO PHASE III & RIO 2100 EAST (PL180044), located at 2128 and 2132 East Rio Salado Parkway. By stipulation, the heights were limited to 85 feet (Freedom Rio Phase III) and 79 feet (Rio 2100 East).


ZONING AND DEVELOPMENT CODE REFERENCE:
Section 6-307, Subdivisions, Lot Splits and Adjustments
DEVELOPMENT PROJECT FILE

for
RIO 2100 EAST
(PL180044)

ATTACHMENTS:

1-2. Site Context (Location Map and Aerial)
3. Applicant’s Letter of Explanation
4-8. Subdivision Plat
9-10. Supplemental Information
   - Approved Site Plan
Aerial Map
EXPLANATION LETTER TO CITY OF TEMPE
COMMUNITY DEVELOPMENT PLANNING:

TO: City of Tempe
FROM: James A. Brucci, R.L.S.
DATE: September 26, 2018
SUBJECT: RIO 2100 EAST
HE PROJ. #: BOYR006-SP

The purpose of this letter is to describe the intent of the attached submittal.

The intent of this plat is to subdivide APN’S 132-36-008D, 132-36-008E & 132-36-001A into 3 commercial lots and 1 private roadway tract, for future commercial development. The current zoning will be maintained.

Sincerely,

James A. Brucci, R.L.S.
Project Surveyor
DEDICATION:
TRACT A IS A PRIVATE STREET TO BE OWNED AND MAINTAINED BY THE PROPERTY MAINTENANCE COMMITTEE.

OWNER/DEVELOPER:
THE RIO SEQUEL LLC
2250 E. CAMELBACK RD. SUITE 620
PHOENIX, ARIZONA 85016
PHONE: (702) 498-5457
CONTACT: TIM LEGLER

OWNER/DEVELOPER:
BOYER RIO 2100 EAST, LLC.
4350 E CAMELBACK ROAD, SUITE A-250
PHOENIX, AZ 85018
PHONE: (602) 498-4333
CONTACT: ADRIAN EVRAIRED

ACKNOWLEDGMENT:
SEE SHEET 2.

LEGAL DESCRIPTION:
LEGAL DESCRIPTION ON SHEET 2.

BENCHMARK:
BENCHMARK IS MARSHAL AT THE INTERSECTION OF RIO SALT RIVER PARKWAY AND MOUNTAIN DRIVE, DENING THE WEST QUARTER CORNER OF SEC. 13, T.1N., R.4E., ELEVATION: 1177.73 (CITY OF TEMPE DATES)

BASIS OF BEARING:
The basis of bearing for this survey is a bearing of NORTH 89°53'35" EAST, AS MEASURED ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO THE CITY OF TEMPE SURVEY CONTROL PLAT.

SHEET INDEX:
SHEET 1 COVER SHEET
SHEET 2 ACKNOWLEDGMENTS AND LEGAL DESCRIPTIONS
SHEET 3 FINAL PLAT PLAN VIEW AND LEGEND
SHEET 4 FINAL PLAN VIEW, CROSS-SECTION DETAILS, LOT LINE TABLE AND LOT AREA TABLE

APPROVED:
APPROVED BY THE MAYOR AND CITY COUNCIL OF CITY OF TEMPE, ARIZONA, ON THE _______________ DAY OF __________, 20__

ATTACHMENT:

CERTIFICATION:
THIS IS TO CERTIFY THAT THE SURVEY OF THE PREMISES DESCRIBED AND PLATTED HEREIN WAS MADE UNDER MY DIRECTION DURING THE MONTH OF AUGUST 2018. THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN, THAT THE POINTS ARE CORRECTLY SHOWN AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE REPLICATED.

JAMES A. BROUDEL, R.L.S. 29865
5/30/19

NOTES:
1. THE SUBDIVISION IS LOCATED WITHIN THE CITY OF TEMPE AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
2. LOT CORNERS TO BE SET WITH 1/2" REBAR CAP STAMPED "TUL8 29865".
3. ALL NEW AND EXISTING, AS WELL AS, ON-SITE AND OFF-SITE UTILITY LINES (OTHER THAN TRANSMISSION LINES) SHALL BE PLACED UNDERGROUND.
4. ANY RETENTION SYSTEM AS SHOWN ON THE GRADING AND DRAINAGE PLANS SHALL RETAIN THE RUNOFF VOLUME FROM THE 100-YEAR DESIGN STORM AND SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO (1) REGULARLY INSPECT THE SYSTEM (AT LEAST ANNUALLY) AND (2) MAINTAIN THE SYSTEM IN A CONDITION THAT WILL ALLOW THE SYSTEM TO STORE AND DISTRIBUTE THE VOLUME OF STORM WATER AS SHOWN ON THE DESIGN PLANS. THE FORCE-ZONE RESTRICTION CANNOT BE CHANGED WITHOUT WRITTEN CONSENT OF THE CITY OF TEMPE ENGINEER.

FLOOD PLAIN CERTIFICATION:
THIS IS TO CERTIFY THAT THE ABOVE REFERENCED PROPERTY LIES WITHIN ZONE X AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP NUMBER 040130 22AG DATED OCTOBER 16, 2013. AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT, OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

RECORD'S INFO.

ATTACHMENT 4
LEGAL DESCRIPTION: (03069525-003-314-5A) AMENDMENT NO. 2

PARCEL NO. 1

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 NORTH, RANGE 4 EAST OF THE 160TH MERIDIAN, MARICopa COUNTY, ARIZONA.

EXCEPT THE EAST 990 FEET AND EXCEPT THE SOUTH 40 FEET THEREOF.

EXCEPT THAT PORTION AS CONSIDERED TO THE CITY OF TWIN PEAKS BY INSTRUMENT RECORDED IN DOCUMENT NO. 018052, RECORDS OF MARICopa COUNTY, ARIZONA, DESCIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND THE WEST LINE OF THE EAST 990 FEET OF SAID NORTHWEST QUARTER, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 334.29 FEET TO A POINT.

THENCE NORTH 02 DEGREES 06 MINUTES 38 SECONDS WEST TO A POINT 40.00 FEET NORTH OF SAID SOUTH LINE.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.92 FEET.

THENCE NORTH 02 DEGREES 06 MINUTES 38 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE TO A POINT.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS EAST TO THE WEST LINE OF THE EAST 990.00 FEET OF SAID NORTHWEST QUARTER, A DISTANCE OF 381.79 FEET.

THENCE SOUTH OF DEGREES 31 MINUTES 31 SECONDS EAST TO THE POINT OF BEGINNING.

PARCEL NO. 2

THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 NORTH, RANGE 4 EAST OF THE 160TH MERIDIAN, MARICopa COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE ALONG THE EASTERLY LINE OF SAID SOUTHWEST QUARTER NORTH 02 DEGREES 43 MINUTES 55 SECONDS WEST, 898.05 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER;

THENCE ALONG THE NORTHERLY LINE THEREOF SOUTH 89 DEGREES 51 MINUTES 12 SECONDS WEST, 255.55 FEET.

THENCE SOUTH 02 DEGREES 43 MINUTES 55 SECONDS EAST, 680.55 FEET TO A POINT IN THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 51 MINUTES 31 SECONDS EAST, 48.87 FEET TO THE POINT OF BEGINNING.

EXCEPT THE SOUTH 40 FEET THEREOF;

EXCEPT THAT PORTION AS CONSIDERED TO THE CITY OF TWIN PEAKS, BY INSTRUMENT RECORDED IN DOCUMENT NO. 018052, RECORDS OF MARICopa COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER AND THE WEST LINE OF THE EAST 990 FEET OF SAID NORTHWEST QUARTER, A DISTANCE OF 990.00 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 334.29 FEET TO A POINT.

THENCE NORTH 02 DEGREES 06 MINUTES 38 SECONDS WEST TO A POINT 40.00 FEET NORTH OF SAID SOUTH LINE.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE, A DISTANCE OF 46.92 FEET.

THENCE NORTH 02 DEGREES 06 MINUTES 38 SECONDS EAST PARALLEL TO AND 40.00 FEET NORTH OF SAID SOUTH LINE TO A POINT.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS EAST TO THE WEST LINE OF THE EAST 990.00 FEET OF SAID NORTHWEST QUARTER, A DISTANCE OF 381.79 FEET.

THENCE SOUTH OF DEGREES 31 MINUTES 31 SECONDS EAST TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION: (03069525-003-314-5A) AMENDMENT NO. 2

THAT PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 11 NORTH, RANGE 4 EAST OF THE 160TH MERIDIAN, MARICopa COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 13 FROM WHICH THE CENTER OF SAID SECTION HEARS SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST, 2844.69 FEET TO A POINT IN THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST, 1379.62 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE INTERSECTION OF THE EAST LINE OF SAID PROPERTY RECOMMENDED IN PARCEL NO. 6 OF DOCUMENT NO. 018052, RECORDS OF MARICopa COUNTY, ARIZONA;

THENCE NORTH 02 DEGREES 43 MINUTES 55 SECONDS EAST, 679.70 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

THENCE CONTINUING NORTH 02 DEGREES 43 MINUTES 55 SECONDS EAST, 16.86 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTH 89 DEGREES 51 MINUTES 53 SECONDS EAST, 1374.22 FEET TO THE SOUTH LINE OF THE EAST 990.00 FEET OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 13.

THENCE SOUTH 89 DEGREES 51 MINUTES 53 SECONDS WEST, 384.14 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING.